

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 19-7813

JACK ZIMMERMAN,

Plaintiff - Appellant,

v.

JUSTIN ANDREWS; TERRY KILPATRICK; DR. PATRICK CRAFT; UNITED
STATES,

Defendants - Appellees.

No. 19-7814

JACK ZIMMERMAN,

Plaintiff - Appellant,

v.

JUSTIN ANDREWS; TERRY KILPATRICK; DR. PATRICK CRAFT; UNITED
STATES,

Defendants - Appellees.

Appeals from the United States District Court for the Eastern District of North Carolina, at
Raleigh. James C. Dever III, District Judge. (5:18-ct-03167-D)

Submitted: July 20, 2020

Decided: August 13, 2020

Before WILKINSON, KEENAN, and FLOYD, Circuit Judges.

Affirmed in part, dismissed in part by unpublished per curiam opinion.

Jack Zimmerman, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jack Zimmerman seeks to appeal the district court's orders accepting the recommendation of the magistrate judge, dismissing Zimmerman's claims under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, 2671-80 (2018), dismissing in part his claims filed pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), denying his motions challenging the disposition of his motion to proceed in forma pauperis, and denying reconsideration.

This Court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2018), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2018); Fed. R. Civ. P. 54(b); *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541, 545-47 (1949). An order denying "a motion to proceed in forma pauperis is an appealable [interlocutory] order." *Roberts v. U.S. Dist. Court*, 339 U.S. 844, 845 (1950) (per curiam).

On appeal, Zimmerman challenges only the court's denial of his claims related to the disposition of his motion to proceed in forma pauperis. Upon review, we affirm in part for the reasons stated by the district court. *Zimmerman v. Andrews*, No. 5:18-ct-03167-D (E.D.N.C. Sept. 30, 2019; Nov. 22, 2019). The remaining portions of the orders appealed are neither final orders nor appealable interlocutory or collateral orders. Accordingly, we dismiss the appeal in part for lack of jurisdiction.

We deny Zimmerman's motion to appoint counsel and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

*AFFIRMED IN PART,
DISMISSED IN PART*